

REMARKS/ARGUMENTS

Status of the claims

Claim 16 is currently amended. After entry of these amendments, claims 16 to 22 and 25 to 33 will be undergoing examination with claims 34 to 46 standing withdrawn.

Claims 16-22, 25-31 and 33 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over de Fonseca, et al. ("An anorexic lipid mediator regulated by feeding"; 2001 Nov *Nature*; 414:209-212) and Di Marzo, et al. ("Leptin-regulated endocannabinoids are involved in maintaining food intake"; 2001 Apr; *Nature*; 410: 822-825).

Support for the amendment to the claims

Claim 16 was amended to set forth that the PPAR α agonist and the cannabinoid CB1 receptor antagonist were present in mutually synergistic amounts for reducing the food consumption. Support for this subject matter is found in the specification *inter alia* in paragraph 29.

Accordingly, the Applicants believe the amendment to claim 16 adds no new matter and respectfully request its entry.

Response to the rejection of claims 16-22, 25-31 and 33 under 35 U.S.C. 103(a) as allegedly being unpatentable over de Fonseca, et al. ("An anorexic lipid mediator regulated by feeding"; 2001 Nov *Nature*; 414:209-212) and Di Marzo, et al. ("Leptin-regulated endocannabinoids are involved in maintaining food intake"; 2001 Apr; *Nature*; 410: 822-825).

The rejection is predicated on the contention that the claims embrace non-synergistic embodiments of the OEA and rimonabant composition. Without acquiescing on the merits and in the spirit of expediting examination, the Applicants have amended the base claim to set forth that the PPAR α agonist and the cannabinoid CB1 receptor antagonist are present in mutually synergistic amounts for reducing the food consumption.

As Applicants believe this amendment negates the basis for the rejection, they respectfully request that the above grounds for rejection be reconsidered and withdrawn.

Appl. No. 10/642,462
Amdt. dated October 27, 2008
Reply to Office Action of August 29, 2008

PATENT

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 925-472-5000.

Respectfully submitted,



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